

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

GS HOLISTIC, LLC,

Plaintiff,

v.

WALEED SMOKE SHOP INC.,
d/b/a SMOKERS GIFT SHOP, ET AL.

Defendants.

No. 2:22-cv-02086-WBS-KJN

ORDER VACATING HEARING AND
ORDER TO RESPOND

Plaintiff, GS Holistic, LLC, filed a motion for default judgment against defendant, Waleed Smoke Shop Inc., d/b/a Smokers Gift Shop, and Waleed Abdul Rashid on April 10, 2023. (ECF No. 14.) The matter is set for hearing on June 27, 2023. (ECF No. 16.) Pursuant to Local Rule 230(c), defendants were required to file an opposition or statement of non-opposition to the motion no later than fourteen (14) days after the filing date of the motion, i.e., April 24, 2023. Although that deadline has passed, no opposition or statement of non-opposition was filed.

Out of an abundance of caution and considering the court's desire to resolve the action on the merits, the court provides defendants one additional, final opportunity to oppose the motion.

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ORDER

Accordingly, IT IS HEREBY ORDERED that:

1. The June 27, 2023 hearing on plaintiff's motion for default judgment is VACATED.
The court takes this matter under submission on the papers without oral argument, pursuant to Local Rule 230(g). The court will reschedule a hearing at a future date, if necessary;
2. Any opposition by defendant shall be filed no later than June 7, 2023, and the reply brief from plaintiff, if any, is due June 14, 2023;
3. Defendants are cautioned that failure to respond to the motion in compliance with this order will be deemed as consent to a summary grant of the motion, and may result in the imposition of a default judgment against defendants; and
4. Plaintiff shall promptly serve copies of this order on defendants at their last-known addresses and file proofs of service.

Dated: May 25, 2023


KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE

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